



*101 North Harvey, Grimes, Iowa 50111 515.986.3036 Fax 515.986.3846*

**CITY COUNCIL MEETING**

**Tuesday, April 28, 2009**

**Grimes City Hall 5:30 P.M.**

The regular meeting of the Grimes City Council was called to order by Mayor Tom Armstrong on Tuesday, April 28, 2009 at 5:30 P.M. at the Grimes City Hall.

Roll Call: Present: Long, Grove, Patterson, Evans, Altringer

**GENERAL AGENDA ITEMS.**

**APPROVAL OF THE AGENDA**

Moved by Long, Seconded by Altringer; the Agenda shall be approved.

Roll call: Ayes: All Nays: None. Motion passes 5-0.

**APPROVAL OF CONSENT AGENDA**

Minutes from the April 14, 2009, 2009 Council Meeting, Right of Way Services Agreement – City of Grimes, Hwy. 44, Pay Request No. 7 to Concrete Technologies Inc. for the - E. 1<sup>st</sup> Street Paving Project in the amount of \$57,147.58. Claims dated April 28, 2009 in the amount of \$390,549.00.

Moved by Long, Seconded by Patterson that the consent agenda shall be approved.

Roll call: Ayes: All Nays: None. Motion passes 5-0.

Mar-09

Funds	Beg Balance	Receipts	Expenses	Ending Balance
General Fund	1,731,418.55	157,770.56	195,875.16	1,693,313.95
Special Revenue Fund	615,058.23	0.00	0.00	711,411.11
Debt Service	1,945,313.52	410,182.06	0.00	2,355,495.58
	-			-
Capital Improvements	1,284,779.44	3,510.00	141,892.58	1,423,162.02
Enterprise Fund	2,999,993.11	203,975.05	116,679.38	3,087,288.78
Total	6,007,003.97	775,437.67	454,447.12	6,424,347.40

**FIRE CHIEF REPORT**

Fire Chief Krohse was present to give the Council an update on the hiring of an additional fire fighter/paramedic. He advised that 10 applications had been received. Chief Krohse provided a time line of the hiring process with the new hire beginning July 6, 2009.

**PEOPLESERVICE REPORT**

PeopleService provided a water/wastewater report dated April 28, 2009 to the Council.

**PUBLIC AGENDA ITEMS AND COUNCIL ACTIONS**

**A. Public Hearing for the 2009 HMA Overlay for S. James and S. 19<sup>th</sup> Street Paving Project**



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Mayor Armstrong opened the Public Hearing at 5:35 p.m. Mayor Armstrong asked City Engineer John Gade to provide an overview of the project. Gade stated that this was an overlay project for S. James Street along with the paving of 1200 feet to finish S. 19<sup>th</sup> Street. Gade advised that the City of Grimes received two bids on April 23, 2009 for the 2009 HMA Overlay Project. The low bid was \$126,577.00 submitted by Grimes Asphalt and Paving Corporation. Gade stated that the City has had a good working relationship with Grimes Asphalt and Paving Corporation and that it would be his recommendation to award this contract to Grimes Asphalt. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public Hearing at 5:40 p.m.

**B. Engineering recommendation of award and Council potential action to award the 2009 HMA Overlay Project for South James Street and S. 19<sup>th</sup> Street Paving Project**

Moved by Long, Seconded by Patterson; the 2009 HMA Overlay Project for South James Street and S. 19<sup>th</sup> Street Paving Project shall be approved.

Roll Call: Ayes: All. Nays: None Motion passes 5-0.

**C. Approve Task Order No. 40 - 2009 S. James Street and S. 19<sup>th</sup> Street HMA Overlay**

Moved by Patterson, seconded by Long; Task Order No. 40 for the 2009 S. James Street and South 19<sup>th</sup> Street HMA Overlay shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.

**D. Cost Opinion on HVAC System at Grimes Community Complex – presentation and direction to proceed with contract to continue with bids and specs.**

Chris Nelson, mechanical engineer representing Shive Hattery provided a cost opinion to the Council on the HVAC System at the Grimes Community Complex. Nelson advised that the options presented were to replace the mechanical systems with systems to heat and cool the building for 10 years or more. Several options were discussed by Nelson. The recommendation by Nelson was an all-in-one packaged rooftop system. Nelson stated that it is estimated that 6 rooftop units will be needed for the building. To reduce cost, several rooms are grouped or zoned together based on use and location. The control of the rooftop units for the each area will be a thermostat which is located in one of the rooms in each zone. As a result of this, rooms without temperature control may see a wider range of temperatures. Council Member Patterson asked about the old steam heat. Nelson advised that the old boiler will be removed and the steam system will be abandoned. Council Member Patterson brought up roofing issues in the building. Nelson stated that if the roof needed to be done, it would be better to wait until the units are put in place before fixing the roof. The preliminary engineering estimate is \$665,000 for this rooftop system.

Moved by Evans, Seconded by Patterson; City staff shall be directed to work with the Shive Hattery to enter into contract for the design, bids and specs for the HVAC System at the Grimes Community Complex.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.

**E. Second Reading of Ordinance #575 Amending the Grimes Code of Ordinances Chapter 165.38 Site Plan to Amend the Expiration of Approval of Plans**

Moved by Patterson, Seconded by Grove; the Second Reading of Ordinance #575 amending the Grimes Code of Ordinances Chapter 165.38 Site Plan to amend the expiration of approval of plans shall be approved.

Roll Call: Ayes: All. Nays: None Motion passes 5-0.

Moved by Grove, Seconded by Patterson; the Third Reading of Ordinance #575 shall be waived.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.

Moved by Grove, Seconded by Patterson; Ordinance #575 shall now pass.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.



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**F. Discussion/Council direction to City Engineer for funding options of NW 54<sup>th</sup> Improvements**

City Engineer Gade reviewed the design option that the Council had approved at the last meeting. The engineer's estimate for this project is \$2.24 million. Gade advised that funding options for NW 54<sup>th</sup> Improvements would be road use tax money, GEO Bonds or assessments or a combination of these. He also stated that \$300,000 would possibly come from Polk County towards this project. Gade stated that in order to proceed with the project he needed direction on the funding options. Mayor Armstrong asked Gade to review with the Council the Capital Improvement Plan (CIP) for this project. Gade reviewed the CIP with the Council which showed that a portion of this project under the CIP would be assessed. City Administrator Brown advised that City Engineer Gade would need direction at this time on the funding. Brown stated that this would allow Gade to begin to work though the process of what the level of assessments would be, if that was the direction the Council chose. Gade stated that on the CIP, 1.5 million was the amount that was looked at for assessment. Gade clarified that the entire amount would be bonded for initially. Council Member Grove stated that he would like to see that same type of assessment as what was done on South 19<sup>th</sup> Street. Mayor Armstrong then asked for a motion for the City Engineer to prepare the Assessment Plat and Schedule for NW 54<sup>th</sup> Improvements.

**G. Resolution 04-0109 directing City Engineer to prepare Assessment Plat & Schedule for NW 54<sup>th</sup> Improvements**

Moved by Grove, Seconded by Evans; the City Engineer shall be directed to use the same methodology that was used to prepare South 19<sup>th</sup> Street to prepare the Assessment Plat and Schedule for NW 54<sup>th</sup> Improvements, and come back to Council with this plan. City Attorney Kara Sinnard asked that her firm also work with Fox Engineering to prepare the plat and preliminary schedule for this project.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.

**H. Public Hearing on the Development Agreement and Incremental Property Tax Payments with SLC Development Company, LLC**

Mayor Armstrong opened the Public Hearing at 6:00 p.m. Gilbert Wood, managing partner of CCRC of Grimes, LLC, and SLC Development Company, LLC, advised that they were developing a continuing Care Retirement Community. Wood advised that they had been received a certificate of need from the state to build a 34 bed skilled nursing facility which is part of a larger plan. Wood advised that the project will contain 30 Independent Living and 28 Assisted Living apartments and a 34 bed Skilled Nursing Facility. Council Member Evans asked how long under the Certificate of Need did they have to build. Wood stated that the state would require that they break ground in a year. Wood stated that they hoped to start in September or October 2009. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public Hearing at 6:05 p.m.

**I. Resolution No 04-0209 Approving Development Agreement with SLC Development Company, LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement.**

Mayor Armstrong and City Administrator Brown reviewed that this development agreement would provide TIF funds in the amount of \$667,000 to be paid back over 10 years in equal installments.

Moved by Long, Seconded by Patterson; Resolution No. 04-0209 that the Development Agreement with SLC Development Company, LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement, shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes 5-0.



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## **J. PUBLIC FORUM**

**No one was present to address the Council.**

## **COUNCIL DISCUSSIONS.**

### **1. Mayor's Report**

Mayor Armstrong advised that the Polk County Sheriff's Department and the Grimes Post Office had met last week to go over when the new addressing will take effect. The Sheriff's Department is working on some mapping issues in the City. Mayor Armstrong also stated that they would be meeting with Wal-Mart representatives Wednesday to go over timelines on the new facility. Mayor Armstrong advised that the opening of the new store is scheduled for a 2010 opening.

### **2. City Attorney's Report**

City Attorney Sinnard had nothing new to report

### **3. City Engineer's Report**

City Engineer Gade reviewed the status of projects in the City and had the following report. He advised that they were continuing paving at Jase Landing weather permitting. East 1<sup>st</sup> Street they are waiting on the weather to work on turn lanes but are currently working on the punch list to complete this project. Destination Drive all the paving is complete but some grading and back fill to curbs needs to be finished. Gade advised that at the next Planning and Zoning meeting they would be reviewing the Mid American Energy Substation site plan and the following month a site plan from QT would be reviewed. QT is looking at locating at the S.E. corner of Hwy. 141 and 54<sup>th</sup> Avenue. Gade stated that the City will also be working with Frito Lay with a possible building expansion. A separate site plan is being reviewed at the Interstate Gateway Business Park. Gade also advised that they had been working on other plat survey reviews. Gade stated that design work is moving along for NW54<sup>th</sup>. The South James Street stimulus project plans are now with the DOT for review. Council Member Grove asked the length of time that the paving has been done on Little Beaver Drive south of 11<sup>th</sup> Street. Gade stated that this was paved about 3 years ago. Council Member Grove stated that he notice that south of S. 11<sup>th</sup> Street there were cracks. Council Member Grove asked if there was any pavement failure in this location. Gade stated that all the bonding companies involved in this project have been contacted along with some other similar issues throughout the City. Gade stated that they had met with the contractor last year in regards to this issue. The contractor's solution was to route and seal the street. Gade stated that there was a discrepancy as to whether it was a payment failure or issues with underground settlement. Gade advised that in his opinion, it was underground settlement, but that it was difficult to answer. Gade stated that the contractor who advised to route and seal the street are no longer in business, so it falls back onto the bonding company. Gade stated that we could pursue this with the bonding company, but would have to prove that it was a workmanship issue. Gade stated that this would be difficult to prove. Gade stated that the bond is for 4 years, so we are close on time. Gade advised that we are on record with the bonding company regarding this issue. City Attorney Sinnard stated that her office would review this issue.

### **4. City Staff Report**



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City Administrator, Kelley Brown advised that City crews were busy with street repairs. Brown also stated that the erosion issue that was brought up by resident John Lanurini, 717 S. 3<sup>rd</sup> Street that the City was working through those concerns as time allowed. Council Member Grove asked if there was a time frame on the elevator property. Mayor Armstrong advised that bids due are due on April 30, 2009 for the elevator and/or grain bins. City Administrator Brown advised that there had been a lot of interest. Council Member Grove asked about the broken concrete tiles at 5601 Brookside Drive. He thought this was going to be ground up and nothing more hauled to this location. City Administrator Brown stated that staff would send a letter regarding this issue. Council Member Grove also asked about the straight truck and car that are sitting at 501 S. Main that are not licensed. Council Member Grove stated that both of these would be in violation of the City Ordinance and felt that they needed to be addressed. He also stated that the boat is also in violation of the ordinance. Council Member Grove stated that the ordinance states you can not park on a side or front yard that does not meet certain surface requirements, which is an existing gravel base. Mayor Armstrong referred to legal counsel on these items. Attorney Sinnard and Council Member Grove will be in contact for specifics on these issues. Council Member Grove went on to state that he had been watching the process at 308 S. Main and it seemed they were progressing for awhile, but now he had not seem much work at this location. He stated that the Council had given this property owners 90 days, and he felt they were going to take all of this time.

#### **5. Old Business**

#### **6. New Business**

#### **ADJOURNMENT**

Moved by Long, Seconded by Altringer; there being no further business, this meeting shall be adjourned at 6:20 p.m.

ATTEST:

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Rochelle Williams, City Clerk

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Tom Armstrong, Mayor